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Interim Co-Lead and Liaison Counsel for Indirect Purchaser Plaintiffs

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

IN RE TFT-LCD (FLAT PANEL)	)	Case No. 06-07588 SI
ANTITRUST LITIGATION	)	
	)	Master File No. C07-1827 SI
	)	
This Document Relates to:	)	MDL No. 1827
	)	
JUDD ELIASOPH, on behalf of himself and all	)	
others similarly situated,	)	
	)	

1	Plaintiff,	)	REQUEST FOR INTERNATIONAL
2	v.	)	JUDICIAL ASSISTANCE
3	LG PHILIPS LCD CO., LTD.; LG PHILIPS	)	
4	LCD AMERICA, INC.; SAMSUNG	)	
5	ELECTRONICS CO. LTD.; SHARP	)	
6	CORPORATION; SHARP ELECTRONICS	)	(LETTER ROGATORY)
7	CORPORATION; TOSHIBA	)	
8	CORPORATION; TOSHIBA MATSUSHITA	)	
9	DISPLAY TECHNOLOGY CO., LTD.;	)	
10	HITACHI LTD.; HITACHI DISPLAYS, LTD.;	)	
11	HITACHI AMERICA LTD.; HITACHI	)	
12	ELECTRONIC DEVICES (USA), INC.;	)	
13	EPSON IMAGING DEVICES	)	
14	CORPORATION; NEC CORPORATION; NEC	)	
15	ELECTRONICS CORPORATION; NEC LCD	)	
16	TECHNOLOGIES, LTD; NEC	)	
17	ELECTRONICS AMERICA, INC.; IDT	)	
18	INTERNATIONAL LTD.; AU OPTRONICS;	)	
19	AU OPTRONICS CORPORATION	)	
20	AMERICA; CMO JAPAN CO., LTD.; CHI	)	
21	MEI OPTOELECTRONICS; CHI MEI	)	
22	OPTOELECTRONICS USA, INC.;	)	
23	CHUNGHWA PICTURE TUBES LTD; and	)	
24	HANNSTAR DISPLAY CORPORATION,	)	
25	Defendants.	)	

The United States District Court Northern District of California presents its compliments to the Appropriate Judicial Authority of Taiwan, and requests international assistance to effect service of process to be used in a civil proceeding before this Court in the above captioned matter.

#### **I. REQUEST**

This Court requests the assistance described herein as necessary in the interests of justice. The assistance requested is that the Appropriate Judicial Authority of Taiwan effect Service of Process of: Amended Summons in a Civil Case; Amended Class Action Complaint; Pretrial Order No. 5: Case Management; Judge Illston's Standing Order; Standing Order Re: Cases Designated for Electronic Filing; Case Management Conference Order; *Dispute Resolution Procedures in the Northern District of California* handbook; Notice Of Availability Of Magistrate Judge To Exercise Jurisdiction; the United States District Court for the Northern District of California's ECF

1 Registration Information Handout; and Certified Translations of these documents on the below-  
2 named corporation:

3 Chi Mei Optoelectronics Corporation

4 No. 3, Sec. 1, Huanshi Rd., Southern Taiwan Science Park, Sinshih Township

5 Tainan County, 7417 Taiwan

6 The Appropriate Judicial Authority of Taiwan is requested to serve the documents listed  
7 above by personal service into the hands of a director, managing agent or other person authorized  
8 to accept service at the above listed address or in any manner prescribed for the service of such  
9 documents consistent with the law of Taiwan.

10 **II. FACTS OF THE CASE**

11 The Complaint in this action was been filed under Section 16 of the Clayton Act, (15  
12 U.S.C. § 26), to obtain injunctive relief for violations of Section 1 of the Sherman Act, (15 U.S.C.  
13 § 1), and to recover damages and/or restitution under various state antitrust and consumer  
14 protection laws, including to recover the costs of suit, and reasonable attorneys' fees. This Court  
15 has jurisdiction over the federal claims under 28 U.S.C. §§ 1331 and 1337. The Court has  
16 jurisdiction over the state law claims under 28 U.S.C. § 1367.

17 There are two general categories of cases in these related actions: (1) those brought under  
18 federal law on behalf of direct purchasers; and (2) those brought generally under state law on  
19 behalf of indirect purchasers, for which there are over seventy complaints covering twenty-three  
20 different states. All plaintiffs allege that they purchased Thin Film Transistor Liquid Crystal  
21 Display products ("TFT-LCD Products") either directly or indirectly from defendants or from their  
22 alleged co-conspirators. Plaintiffs claim damages caused by the defendants' conspiracy to fix  
23 prices on TFT-LCD Products sold in the United States and elsewhere. The plaintiffs allege the  
24 conspiracy began in November 1, 1998 and continued through at least December 31, 2006 (the  
25 "Class Period").

26 In or about December of 2006, the Antitrust Division of the United States Department of  
27 Justice ("DOJ") sent out subpoenas to various companies in connection with an investigation of

1 cartel activity in the TFT-LCD industry. Several of these companies being investigated have  
2 already pled guilty to price-fixing in the DRAM industry and have paid substantial fines to the  
3 DOJ for those unlawful activities.

4 **III. RECIPROCITY**

5 The United States District Court for the Northern District of California would be willing to  
6 provide similar assistance to the Appropriate Judicial Authority of Taiwan.

7 **IV. REIMBURSEMENT FOR COSTS**

8 Lead and Liaison Counsel for the Indirect-Purchaser Plaintiffs have represented that they  
9 are willing to reimburse the appropriate Judicial Authority of Taiwan for costs incurred in  
10 executing this Letter Rogatory in an amount not to exceed One Thousand Five Hundred dollars  
11 (\$1500.00). If the costs for executing this Letter Rogatory will exceed US \$1500, please contact  
12 Lead and Liaison Counsel for the Indirect-Purchaser Plaintiffs before exceeding this amount.

13 Their contact information is as follows:

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21 In acknowledgment of the additional time which is needed to prepare and file a responsive  
22 pleading to the attached documents, the time period is extended to 45 days after service.

23 The Court extends to the Appropriate Judicial Authorities of Taiwan assurances of its  
24 highest consideration.

25 DATED: 10/23/07

By: \_\_\_\_\_



Hon. Susan Illston  
United States District Judge

450 Golden Gate Ave, San Francisco, CA 94102  
(415) 522-2028 (Tracy Sutton, Calendar Clerk)  
(415) 22-2068 (Yumiko Saito, Docket Clerk)

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